

Remarks

Claims 1, 4, 5, 7, 9, 13-15, 18, 19, 21, 23, 27, and 28 have been amended, and new claims 29-31 have been added. The allowability of claims 7, 9, 13, 21, 23, and 27 is noted with appreciation. Re-examination and reconsideration of the application, in view of the amendments above and the remarks below, are respectfully requested.

The Examiner objected to claims 1-28 because of certain informalities. Applicants have amended the claims in a manner that is believed remedies the Examiner's objection thereto.

The Examiner rejected claims 1-4, 14-18, and 28 under 35 U.S.C. §102(b) as being anticipated by Myers et al WO97/44275, and rejected claims 5, 6, 8, 10-12, 19, 20, 22, and 24-26 under 35 U.S.C. §103(a) as being unpatentable over Myers et al. Reconsideration and withdrawal of rejections are respectfully requested.

Of the rejected claims, claims 1 and 15 are independent claims. To more clearly distinguish over Myers et al, both independent claims have been amended to recite that the machine is configured to be supplied with the clips in a collated strip which has not been stored in, nor is fed to the machine from, a roll. This stands in stark contrast to the machine of Myers et al. The Myers et al machine 10 is configured to be supplied clips 9 in collated strips which have been stored in rolls 85, 86 and which are fed to the machine 10 from the rolls 85, 86. The Meyers et al machine 10 is so configured by virtue

of the fact that the machine 10 has a supporting arm and shaft 87 for rotatably supporting the rolls 85, 86. See Myers et al at page 7, lines 28-38.

The machine of the present invention is configured differently, namely to be supplied with the clips in a collated strip which has not been stored in, nor is fed to the machine from, a roll. Such a configured machine exploits the greater clip shipping density of non-coiled or non-rolled strips of clips over that of coiled or rolled strips of clips. See the Specification at page 19, lines 9-20.

Accordingly, Myers et al fails to teach each and every limitation of Applicants' amended claims 1 and 15, and for that reason, the §102(b) rejection thereof should be withdrawn. Moreover, it is submitted that no §103(a) rejection of independent claims 1 and 15 is warranted, as there is no suggestion or motivation in any of the references of record for such a machine. Accordingly, it is submitted that independent claims 1 and 15 are allowable. Moreover, it is submitted that the claims dependent on independent claims 1 and 15 are allowable for at least the same reasons, as well as others.

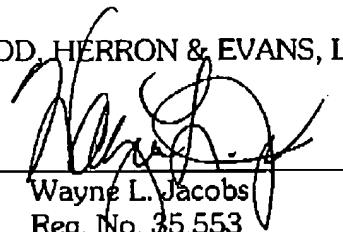
The Examiner indicated that claims 7, 9, 13, 21, 23, and 27 would be allowable if rewritten in independent form. Accordingly, Applicants have so rewritten these claims and it is submitted that they are clearly in allowable form.

Lastly, Applicants have added new claims 29-31 to additional patentable subject matter.

In view of the above, it is submitted that claims 1-31 are in a condition for allowance. Re-examination of the application is respectfully requested, and an early Notice Of Allowance is earnestly solicited.

Respectfully submitted,

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